

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER  
10191/3927

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**10/516723**INTERNATIONAL APPLICATION NO.  
PCT/DE03/01578INTERNATIONAL FILING DATE  
(15/05/2003)  
May 15, 2003PRIORITY DATE CLAIMED:  
(06/06/2002)  
June 6, 2002**GAS SENSOR****APPLICANT(S) FOR DO/EO/US**GEIER, Heinz; WEYL, Helmut; NEES, Siegfried ; WILD, Bernhard; MAIER, Rainer; LIEBLER, Michael; DETTLING, Peter; SCHNEIDER, Bettina; and  
MAGERA, Craig

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)) (unsigned).
10. ☒ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification and marked-up copy thereof.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: International Search Report and Form PCT/RO/101.

page 1 of 2

Express Mail No.: EV323019621

NY01 754977 v 1

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER																																																														
107516723		PCT/DE03/01578		10191/3927																																																														
<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p><b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>          Neither international preliminary examination fee (37 CFR 1.482)          nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO          and International Search Report not prepared by the EPO or JPO . . . . \$1,110.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to          USPTO but International Search Report prepared by the EPO or JPO . . . \$950.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO          but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . . \$790.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO          but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . . \$730.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO          and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . . \$100.00</p> <p style="text-align: center;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months          from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;"></th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>21 - 20 =</td> <td>1</td> <td>X \$18.00</td> <td>\$18</td> </tr> <tr> <td>Independent Claims</td> <td>2 - 3 =</td> <td>0</td> <td>X \$88.00</td> <td>\$0</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$300.00</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td>\$968</td> </tr> <tr> <td colspan="4"> <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated            above are reduced by 1/2.         </td> <td>\$0</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL =</b></td> <td>\$968</td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than          30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td>\$0</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL NATIONAL FEE =</b></td> <td>\$968</td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment          must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00          per property</td> <td>\$0</td> </tr> <tr> <td colspan="4" style="text-align: right;"><b>TOTAL FEES ENCLOSED =</b></td> <td>\$968</td> </tr> <tr> <td colspan="4" rowspan="2"></td> <td style="text-align: center;"><b>Amount to be refunded:</b></td> <td>\$</td> </tr> <tr> <td style="text-align: center;"><b>charged</b></td> <td></td> </tr> </tbody></table> <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 11-0600 in the amount of \$968 to cover the above fees.          A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any          overpayment to Deposit Account No. 11-600. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card          information should not be included on this form.</b> Provide credit card information and authorization on          PTO-2038.</p> <p><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))          must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:          KENYON &amp; KENYON          One Broadway          New York, New York 10004          CUSTOMER NO. 26646</p> <p style="text-align: right;">         SIGNATURE _____          Richard L. Mayer (Reg. No. 22,490)          NAME _____          DATE 12/2/2004       </p> <p style="text-align: right; font-size: 1.5em;">         33' 805          Haran C.          O E D I T A       </p>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total Claims	21 - 20 =	1	X \$18.00	\$18	Independent Claims	2 - 3 =	0	X \$88.00	\$0	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$300.00	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$968	<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0	<b>SUBTOTAL =</b>				\$968	Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0	<b>TOTAL NATIONAL FEE =</b>				\$968	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$0	<b>TOTAL FEES ENCLOSED =</b>				\$968					<b>Amount to be refunded:</b>	\$	<b>charged</b>	
				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																																											
				Total Claims	21 - 20 =	1	X \$18.00	\$18																																																										
				Independent Claims	2 - 3 =	0	X \$88.00	\$0																																																										
				MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$300.00																																																										
				<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$968																																																										
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$0																																																														
<b>SUBTOTAL =</b>				\$968																																																														
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0																																																														
<b>TOTAL NATIONAL FEE =</b>				\$968																																																														
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$0																																																														
<b>TOTAL FEES ENCLOSED =</b>				\$968																																																														
				<b>Amount to be refunded:</b>	\$																																																													
				<b>charged</b>																																																														